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TRANSMITTAL FORM <small>(Use for all correspondence after initial filing)</small> 		Application Number	09/782,916
		Filing Date	February 13, 2001
		First Named Inventor	Dan Kikinis
		Art Unit	3196
		Examiner Name	Almis R. Jankus
Total Number of Pages in This Submission	1	Attorney Docket Number	091451.00131

ENCLOSURES (Check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input checked="" type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): <small>Check in the amount of \$1500.00, Postcard Petition for Revival</small>	
		<input type="checkbox"/> Remarks <small>The Commissioner is hereby authorized to charge any fees due or credit any overpayment to Deposit account No. 50-1794</small>	
		CUSTOMER NO. 52940	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Todd S. Parkhurst, Holland & Knight LLP, 131 S. Dearborn St., 30th Fl, Chicago, Illinois 60603		
Signature			
Printed name	Todd S. Parkhurst		
Date	January 19, 2006	Reg. No.	26,494

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Todd S. Parkhurst	Date	January 19, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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FEET TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1500.00)

Complete if Known

Application Number	09/782,916
Filing Date	February 13, 2001
First Named Inventor	Dan Kikinis
Examiner Name	Almis R. Jankus
Art Unit	3196
Attorney Docket No.	091451.00131

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number 50-1794
Deposit Account Name Holland & Knight LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEET CALCULATION**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 0.00)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X =	
Multiple Dependent	- 3** =	X =	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)		(\$ 1500.00)	

(Complete if applicable)

Name (Print/Type)	Todd S. Parkhurst	Registration No. (Attorney/Agent)	26,494	Telephone	312-578-6694
Signature				Date	January 19, 2006

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
093044.00001

First named inventor: Dan Kikinis

Application No.: 09/782,916 Art Unit: 3196

Filed: February 13, 2001 Examiner: Almis R. Jankus

Title: A METHOD AND SYSTEM FOR LOCALIZED ADVERTISING USING LOCALIZED 3-D TEMPLATES

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Amendment B Accompanying RCE (identify type of reply):

has been filed previously on November 8, 2005.
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.
 has been paid previously on _____.
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

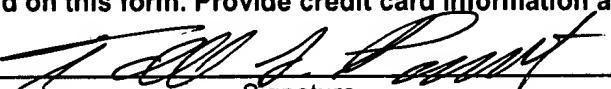
3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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January 19, 2006

Date

Todd S. Parkhurst

26,494

Typed or printed name

Registration Number, if applicable

131 S. Dearborn Street, 30th Floor

312.578.6694

Address

Telephone Number

Chicago, IL 60603

Address

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: Postcard, Power of Attorney Forms, Assignment Documents and copy of Amendment B

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

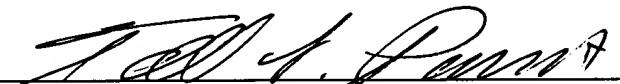
I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

January 19, 2006

Date



Signature

Todd S. Parkhurst

Typed or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/782,916 Confirmation No.: 8134
Applicant: Dan Kikinis
Filed: February 13, 2001
TC/A.U.: 3196
Examiner: Jankus, Almis R.
Docket No.: 091451/00131
Customer No.: 52940

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION
UNDER 37 CFR 1.137(b)**

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR:

In response to the Senior Petitions Attorney's decision (mailed on November 22, 2005) to dismiss Applicant's petition under 37 CFR 1.137(a) (mailed on November 8, 2005), Applicant hereby petitions to revive the above-referenced United State patent application and to accept a Response to Final Office Action (enclosed herewith) that was due on June 25, 2004 on the grounds that the application has become abandoned unintentionally.

The Applicant, by the undersigned attorney, avers that the entire delay in filing the required reply from the due date for the Final Office Action reply until filing this grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Pursuant to 37 CFR 1.17(m), enclosed herewith is a check in the amount of \$1,500.00 to cover the fee for reviving an unintentionally abandoned application.

Enclosed herewith is a copy of each of three recorded assignments evidencing the chain of title from:

- (1) Inventor Dan Kikinis to ISURFTV (July 23, 2001; REEL/FRAME: 011769/0164);
- (2) ISURFTV to ETALON SYSTEMS, INC. (January 21, 2004; REEL/FRAME: 014268/0480); and
- (3) ETALON SYSTEMS, INC. to EAGLE NEW MEDIA INVESTMENTS, LLC (January 28, 2004; REEL/FRAME: 014277/0607).

Also enclosed herewith is a copy of a Power of Attorney and Appointment of New Power of Attorney (executed by Mr. Mark Hianik, Assistant Secretary, Eagle New Media Investments, LLC); and the Notice of Acceptance of Power of Attorney mailed on August 3, 2005 from the USPTO.

Holland & Knight LLP became aware of the expiration of the term to response to the Final Office Action in late September 2005 when we learned from Examiner Jankus that the application was abandoned. The Final Office Action was mailed to Blakely, Sokoloff, Taylor & Zafman on March 25, 2004. We were not aware of any issued Office Action until late September 2005.

Blakely, Sokoloff, Taylor & Zafman had original responsibility for this application. Holland & Knight LLP took over this responsibility on, or about, July 1, 2005 per the enclosed Power of Attorney and Appointment of New Power of Attorney (executed by Mr. Mark Hianik, Assistant Secretary, Eagle New Media Investments, LLC); and the Notice of Acceptance of Power of Attorney mailed on August 3, 2005 from the USPTO. At no time did the owner of this application intend to abandon prosecution. This abandonment was completely unintentional.

Respectfully submitted,



(Reg. #26,494)

Todd S. Parkhurst

HOLLAND & KNIGHT LLP
131 S. Dearborn, 30th Floor
Chicago, Illinois 60603
Tel: (312) 263-3600
Attorney for Applicant

Date: January 19, 2006

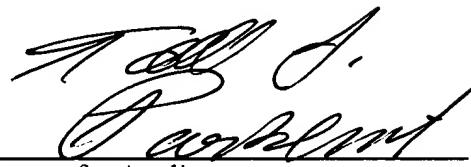


Appl. No. 09/782,916
Petition. Dated January 19, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail on January 19, 2006 in an envelope addressed to:

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**



Attorney for Applicants

3515346_v1



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**REVOCATION OF POWER OF
ATTORNEY and APPOINTMENT OF
NEW POWER OF ATTORNEY**

Application Number	09/782,916
Filing Date	February 13, 2001
First Named Inventor	Dan Kikinis
Art Unit	2614
Examiner Name	Unassigned
Attorney Docket Number	ISURFTV131

I hereby revoke all previous powers of attorney given in the above-identified application:

 A Power of Attorney is submitted herewith.**OR** I hereby appoint the practitioners at Customer Number:

52940

 Please change the correspondence address for the above-identified application to: The address associated with
Customer Number:

52940

OR Firm or
Individual Name

Address

Address

City

Country

Telephone

State

Zip

I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**Name Mark W. Hianik, Assistant Secretary, Eagle New Media Investments, LLCSignature Mark W. Hianik

Date

Telephone

(312) 222-4303

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/782,916	02/13/2001	Dan Kikinis	ISURFTV131

52940
 TODD S. PARKHURST
 HOLLAND & KNIGHT LLP
 131 S. DEARBORN STREET
 30TH FLOOR
 CHICAGO, IL 60603

CONFIRMATION NO. 3196



OC000000016687386

Date Mailed: 08/03/2005

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/01/2005.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

FANAYE ASRAT
 FANAYE ASRAT
 SALLY (703) 305-0677

ATTORNEY/APPLICANT COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/782,916	02/13/2001	Dan Kikinis	004688.P019

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
 12400 Wilshire Boulevard, Seventh Floor
 Los Angeles, CA 90025-1026

CONFIRMATION NO. 3196



OC000000016687353

Date Mailed: 08/03/2005

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/01/2005.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).



FANAYE ASRAT
 FANAYE ASRAT
 SALLY (703) 305-0677

Fanaye Asrat

NEW ATTORNEY/AGENT COPY



JULY 23, 2001



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
SANJEE K. DUTTA
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1026

RECEIVED
JUL 27 2001
101712501A
04688 P019
ISURFTV
JPW

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
LOS ANGELES

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/03/2001

REEL/FRAME: 011769/0164
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

KIKINIS, DAN

DOC DATE: 04/25/2001

ASSIGNEE:

ISURFTV, CORPORATION OF CALIFORNIA
413 TASMAN DRIVE
SUNNYVALE, CALIFORNIA 94089-1706

SERIAL NUMBER: 09782916

FILING DATE: 02/13/2001
ISSUE DATE:

PATENT NUMBER:

JEEVON JONES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

Correspondent Name and Address

Area Code and Telephone Number (408) 720-8300

Name Sanjeet K. Dutta

Address (line 1) BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Address (line 2) 12400 Wilshire Boulevard, Seventh Floor,

Address (line 3) Los Angeles, CA 90025-1026

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document.

2

Application Number (s) or Patent Number (s)

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number (s)

09/782,916

Patent Number (s)

Month Day Year

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Patent Cooperation Treaty (PCT)

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT _____

PCT _____

PCT _____

PCT _____

PCT _____

PCT _____

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

Method of Payment:

Deposit Account

Enclosed Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: # 02-2666

Authorization to charge additional fees:

Yes No

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Sanjeet K. Dutta

46,145

Sanjeet Dutta

4/30/01

Name of Person Signing

Registration No.

Signature

Date

Mail documents to be recorded with required cover sheet(s) information to:
 Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Attorney's Docket

No.: 004688.P019 (For Execution After Filing Patent Application)

A S S I G N M E N T

PATENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, I, the undersigned, Dan Kikinis, hereby sell, assign, and transfer to Isurftv a corporation of California, having a principal place of business at 413 Tasman Drive, Sunnyvale, CA 94089-1706, ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title, and interest for the United States and all foreign countries, in and to any and all improvements that are disclosed in the application for the United States patent that was filed February 13, 2001, and assigned Application No. 09/782,916 and is entitled

A METHOD AND SYSTEM FOR LOCALIZED ADVERTISING USING LOCALIZED 3-D TEMPLATES

and in and to said application and all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions, and all other patent applications that have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original patents, reissued patents, reexamination certificates, and extensions that have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application;

agree that said Assignee may apply for and receive a patent or patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said Assignee, its successors, assigns, and representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally assist said Assignee, its successors, assigns, or representatives in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements, and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns, and legal representatives; and

covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 4/25, 2001

Name: Dan Kikinis

11

Date: _____, 20 ____

Name:

Date: _____, 20 ___

Name:

Date: _____, 20 ___

Name:

Date: _____, 20 ___

Name:

Date: _____, 20 ____

Name: _____

State of: _____ } } SS A E

Assignment Document Return

County of: _____ } 12400 Wilshire Blvd., Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8598

On this _____ day of _____ 20 __, before me, _____,
the undersigned Notary Public, personally appeared _____

personally known to me proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged that executed it.

WITNESS my hand and official seal.

Notary's Signature



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JANUARY 21, 2004

PTAS



102508126A

HOLLAND & KNIGHT LLC
ROBERT J. DEPKE
131 SOUTH DEARBORN, 30TH FLOOR
CHICAGO, IL 60603

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/18/2003

REEL/FRAME: 014268/0480
NUMBER OF PAGES: 4

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
ISURFTV

DOC DATE: 07/03/2003

ASSIGNEE:
ETALON SYSTEMS, INC.
413 TASMAN DRIVE
SUNNYVALE, CALIFORNIA 94089

SERIAL NUMBER: 09854334
PATENT NUMBER:

FILING DATE: 05/11/2001
ISSUE DATE:

SERIAL NUMBER: 09854339
PATENT NUMBER:

FILING DATE: 05/11/2001
ISSUE DATE:

SERIAL NUMBER: 09783886
PATENT NUMBER:

FILING DATE: 02/14/2001
ISSUE DATE:

SERIAL NUMBER: 09783932	FILING DATE: 02/14/2001
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 09844642	FILING DATE: 04/27/2001
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 09858762	FILING DATE: 05/15/2001
PATENT NUMBER:	ISSUE DATE:
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PATENT NUMBER:	ISSUE DATE:
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ISSUE DATE: 03/04/2003
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FILING DATE: 12/08/2000
ISSUE DATE:
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ISSUE DATE:
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PATENT NUMBER:
FILING DATE: 01/25/2003
ISSUE DATE:
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PATENT NUMBER:
FILING DATE: 01/25/2003
ISSUE DATE:
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FILING DATE: 06/25/1999
ISSUE DATE: 01/29/2002
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ISSUE DATE: 09/24/2002
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PATENT NUMBER: 6356280
FILING DATE: 08/16/1999
ISSUE DATE: 03/12/2002
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PATENT NUMBER: 6452594
FILING DATE: 09/16/1999
ISSUE DATE: 09/17/2002
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PATENT NUMBER: 6570586
FILING DATE: 09/03/1999
ISSUE DATE: 05/27/2003
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PATENT NUMBER: 6229541
FILING DATE: 10/13/1999
ISSUE DATE: 05/08/2001
S~~E~~RIAL NUMBER: 09488361
PATENT NUMBER: 6421067
FILING DATE: 01/16/2000
ISSUE DATE: 07/16/2002
S~~E~~RIAL NUMBER: 08825209
PATENT NUMBER: 6205485
FILING DATE: 03/27/1997
ISSUE DATE: 03/20/2001

09/133,806
09/133,771

014268/0480 PAGE 6

SERIAL NUMBER: 10004737
PATENT NUMBER: 6525728

FILING DATE: 12/04/2001
ISSUE DATE: 02/25/2003

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JANUARY 28, 2004

PTAS



102508279A

HOLLAND & KNIGHT LLC
ROBERT J. DEPKE
131 SOUTH DEARBORN, 20TH FLOOR
CHICAGO, IL 60603

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RECORDATION DATE: 07/18/2003

REEL/FRAME: 014277/0607
NUMBER OF PAGES: 21

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ETALON SYSTEMS, INC.

DOC DATE: 07/14/2003

ASSIGNEE:

EAGLE NEW MEDIA INVESTMENTS, LLC
C/O TRIBUNE MEDIA SERVICES, INC.
435 NORTH MICHIGAN AVENUE
CHICAGO, ILLINOIS 60611

SERIAL NUMBER: 09854334

FILING DATE: 05/11/2001
ISSUE DATE:

PATENT NUMBER:

SERIAL NUMBER: 09854339

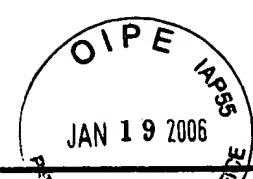
FILING DATE: 05/11/2001
ISSUE DATE:

PATENT NUMBER:

SERIAL NUMBER: 09783886

FILING DATE: 02/14/2001
ISSUE DATE:

PATENT NUMBER:



Form PTO-1595
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)

RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
ISURFTV

2. Name and address of receiving party(ies)

Name: Etalon Systems, Inc.

Internal Address: _____

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment

Merger

Security Agreement

Change of Name

Other Corrected Change of Name to correct
serial numbers Previously Recorded on
7/18/03 REEL/FRAME: 014268/0480

Execution Date: _____

Street Address: 413 Tasman Drive

City: Sunnyvale State: CA Zip: 94089

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/733,806

09/733,771

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total number of applications and patents involved: 2

Name: Robert J. Depke

7. Total fee (37 CFR 3.41).....\$ 80.00

Internal Address: Holland & Knight LLP

Enclosed

Authorized to be charged to deposit account

Street Address: 131 South Dearborn Street

8. Deposit account number:

30th Floor

50-1794

City: Chicago State: IL Zip: 60603

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Robert J. Depke

Name of Person Signing

Signature

Date

11

Total number of pages including cover sheet, attachments, and documents:

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments

Washington, D.C. 20231

SERIAL NUMBER: 09783932	FILING DATE: 02/14/2001
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 09844642	FILING DATE: 04/27/2001
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 09858762	FILING DATE: 05/15/2001
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 09875546	FILING DATE: 06/05/2001
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PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10029784	FILING DATE: 10/19/2001
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PATENT NUMBER:	ISSUE DATE:

SERIAL NUMBER: 10059943	FILING DATE: 01/28/2002
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SERIAL NUMBER: 08825209	FILING DATE: 03/27/1997
PATENT NUMBER: 6205485	ISSUE DATE: 03/20/2001

014277/0607 PAGE 6

SERIAL NUMBER: 10004737
PATENT NUMBER: 6525728

FILING DATE: 12/04/2001
ISSUE DATE: 02/25/2003

JEFFREY OLSEN, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

09/782,916

Confirmation No.: 3196

Applicant: Dan Kikinis

Filed: February 13, 2001

TC/A.U.: 2671

Examiner: Almis R Jankus

Docket No.: 091451.00131

Customer No.: 52940

AMENDMENT B ACCOMPANYING RCE

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR:

In response to the Office Action dated March 25, 2004, please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

IN THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method for providing enhanced advertising of a 2-D video broadcast, comprising:
 - receiving the 2-D video broadcast, wherein the 2-D video broadcast comprises a 2-D advertisement containing a 2-D image[[],] and one or more 3-D shapes of text;
 - generating a 3-D highlighted image from the 2-D image using a 3-D image and an image processor at the viewer's system;
 - applying the 3-D shapes of text to the 3-D highlighted image to generate a localized 3-D highlighted image; and
 - displaying the localized 3-D highlighted image to a specific viewer.
2. (Original) The method according to claim 1, wherein applying the 3-D shapes of text comprises:
 - using the 3-D shapes of text as a template; and
 - cutting the 3-D highlighted image around the template.
3. (Original) The method according to claim 2, wherein applying the 3-D shapes of text further comprises displaying a color to contrast the 3-D highlighted image.
4. (Original) The method according to claim 1, wherein applying the 3-D shapes of text further comprises embossing the 3-D shapes of text within the 3-D highlighted image.
5. (Original) The method according to claim 1, wherein applying the 3-D shapes of text further comprises raising the 3-D shapes of text above the 3-D highlighted image.
6. (Original) The method according to claim 1, further comprising selecting a specific 3-D shapes of text for the specific viewer.

7. (Currently Amended) A system for providing enhanced advertising of a 2-D video broadcast, comprising:

means for receiving the 2-D video broadcast, wherein the 2-D video broadcast comprises a 2-D advertisement containing a 2-D image, and one or more 3-D shapes of text;

means at a viewer's system for generating a 3-D highlighted image from the 2-D image;

means for applying the 3-D shapes of text to the 3-D highlighted image to generate a localized 3-D highlighted image; and

means for displaying the localized 3-D highlighted image to a specific viewer.

8. (Original) The system according to claim 7, wherein the means for applying the 3-D shapes of text comprises:

means for using the 3-D shapes of text as a template; and

means for cutting the 3-D highlighted image around the template.

9. (Original) The system according to claim 8, wherein the means for applying the 3-D shapes of text further comprises means for displaying a color to contrast the 3-D highlighted image.

10. (Original) The system according to claim 7, wherein the means for applying the 3-D shapes of text further comprises means for embossing the 3-D shapes of text within the 3-D highlighted image.

11. (Original) The system according to claim 7, wherein the means for applying the 3-D shapes of text further comprises means for raising the 3-D shapes of text above the 3-D highlighted image.

12. (Original) The system according to claim 7, further comprising means for selecting a specific 3-D shapes of text for the specific viewer.

13. (Currently Amended) A computer-readable medium having stored thereon a plurality of instructions for providing enhanced advertising of a 2-D video broadcast, said plurality of instructions when executed by a computer, cause said computer to perform:

receiving the 2-D video broadcast, wherein the 2-D video broadcast comprises a 2-D advertisement containing a 2-D image, and one or more 3-D shapes of text;

generating a 3-D highlighted image from the 2-D image using an image processor at a viewer's system;

applying the 3-D shapes of text to the 3-D highlighted image to generate a localized 3-D highlighted image; and

displaying the localized 3-D highlighted image to a specific viewer.

14. (Original) The computer-readable medium of claim 13 having stored thereon additional instructions, said additional instructions when executed by a computer for applying the 3-D shapes of text, cause said computer to further perform:

using the 3-D shapes of text as a template; and

cutting the 3-D highlighted image around the template.

15. (Original) The computer-readable medium of claim 14 having stored thereon additional instructions, said additional instructions when executed by a computer for applying the 3-D shapes of text, cause said computer to further perform displaying a color to contrast the 3-D highlighted image.

16. (Original) The computer-readable medium of claim 13 having stored thereon additional instructions, said additional instructions when executed by a computer for applying the 3-D shapes of text, cause said computer to further perform embossing the 3-D shapes of text within the 3-D highlighted image.

17. (Original) The computer-readable medium of claim 13 having stored thereon additional instructions, said additional instructions when executed by a computer for applying the 3-D shapes of text, cause said computer to further perform raising the 3-D shapes of text above the 3-D highlighted image.

18. (Original) The computer readable medium according to claim 13, having stored thereon additional instructions, said additional instructions when executed by a computer, cause said computer to further perform selecting a specific 3-D shapes of text for the specific viewer.

19. (Currently Amended) A set top box for generating 3-D enhanced advertising from 2-D video broadcasts, comprising:

a processor coupled to a bus; and
a storage device coupled to the bus, wherein the storage device is configured to store instructions executed by the processor;

wherein the processor receives the 2-D video broadcast, wherein the 2-D video broadcast comprises a 2-D advertisement containing a 2-D image, a unique identifier associated with said 2-D image and one or more 3-D shapes of text; generates a 3-D highlighted image from the 2-D image at a viewer's system based on said unique identifier; applies the 3-D shapes of text to the 3-D highlighted image to generate a localized 3-D highlighted image; and displays the localized 3-D highlighted image to a specific viewer.

20. (Original) The set top box of claim 19, wherein the processor uses the 3-D shapes of text as a template; and cuts the 3-D highlighted image around the template.

21. (Original) The set top box of claim 20 wherein the processor displays a color to contrast the 3-D highlighted image.

22. (Original) The set top box of claim 19, wherein the processor embosses the 3-D shapes of text within the 3-D highlighted image.

23. (Original) The set top box of claim 19, wherein the processor raises the 3-D shapes of text above the 3-D highlighted image.

24. (Original) The set top box of claim 19, wherein the processor selects a specific 3-D shapes of text for the specific viewer.

REMARKS

Applicants respectfully request consideration of this Response to the final Office Action dated March 25, 2004. Applicants have filed a Petition to Revive for Unavoidable delay because the Applicants never received the final Office Action. According to the USPTO record the final Office Action was mailed to previous counsel despite the presence of a new power of attorney. Applicants did not become aware of the final Office Action until a Notice of Abandonment was issued. Consequently, Applicants have filed a Petition to Revive along with this Response.

Applicants respectfully request reconsideration of Examiner's rejection under 35 U.S.C. §103(a). The Applicants' presently claimed invention recites generating a 3-D highlighted image using an image processor at a viewer's location. The prior art of record fails to teach or suggest either the localization of video data or the implementation of 3-D images as presently claimed. Further, the prior art fails to teach the implementation of 3-D images as presently claimed in Applicant's patent.

Examiner has rejected the claims over *Rosser et al.*, U.S. Patent No. 5,264,933, and *Rosser*, U.S. Patent No. 6,446,261. Examiner claims that *Rosser et al.* teaches Applicant's invention at the abstract and at Column 8 lines 37-43 and lines 52-58. However, *Rosser et al.* fails to teach or suggest Applicant's claimed invention in either those three sections, or in the rest of their disclosure. *Rosser et al.* discloses overlaying an image (i.e., and advertiser's logo) over a specified area of a video image, for example, a portion of a tennis court. This video processing is entirely done by the Television studios before the video stream is broadcast out to viewers, and the video processing is only accomplished through the use of 2-D images and overlays. Applicant's presently claimed invention, however, utilizes an image

processor or other means located in a localized device such as a set-top box located at the viewer's television to generate a 3-D highlighted image from the 2-D image. This allows for advertising data to be customized to the specific viewer, area, or demographic. Further, Applicant's invention involves the use of 3-D technologies in order to create a higher quality localized advertisement. More specifically, Applicant's invention includes a 3-D image processor that can generate a 3-D highlighted image from the 2-D video image transmitted to the viewer. This technology is neither taught, nor suggested in *Rosser et al.*

Rosser discloses the localization of video data, however, it does not disclose the advantageous use of 3-D image data. Applicant's invention involves the use of 3-D technologies in order to create a higher quality localized advertisement. More specifically, Applicant's invention includes a 3-D image processor that can generate a 3-D highlighted image from the 2-D video image transmitted to the viewer. This technology is neither taught, nor suggested in *Rosser*, and includes a significant and non-trivial improvement on that technology. For example, information about a soda bottle can be extracted from the 2-D image and a 3-D highlighted image is generated using the information to allow further customization based on the transmitted 3-D text and shapes. As a result, *Rosser* neither teaches nor suggests Applicants' presently claimed invention.

Further, Applicants' presently claimed invention sets forth independent claims distinct and allowable in light of the prior art. Therefore, all dependent claims also stand in condition for allowance.

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Accordingly, Applicant's invention is patentability distinct over the art of record. In light of the foregoing, Applicant respectfully submits that all claims now stand in condition for allowance.

Respectfully submitted,

Date: Nov 8, 2005



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